

**MONTGOMERY PLANNING AND ZONING COMMISSION AGENDA  
REGULAR MEETING OF  
MONDAY, SEPTEMBER 25, 2017, 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS 101 OLD PLANTERSVILLE ROAD,  
MONTGOMERY, TEXAS.**

**CALL TO ORDER**

**VISITOR/CITIZENS FORUM**

**Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.**

1. Consideration/take action regarding August 28, 2017 minutes
2. Public Hearing on Rezoning a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas otherwise described as approximately 150 feet south of Flagship Boulevard – Andrew Bay
3. Consideration/take action regarding Rezoning a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas otherwise described as approximately 150 feet south of Flagship Boulevard – Andrew Bay
4. Consideration/take action regarding a sign permit at 304 Caroline St. – Kristin Billingsly
5. Consideration of Demolition/Moving Permit for 21000 Eva Street to Remove building from the City - Sonja Spottswood
6. Consideration/take action regarding Lake Creek Village Section Three Final Plat.
7. Consideration/take action regarding The Shoppes at Montgomery Preliminary Plat.
8. Consideration/take action regarding calling a Public Hearing concerning Land Use Plan adoption.
9. Consideration/take action regarding calling a Public Hearing concerning Corridor Enhancement District

10. Adjournment

  
\_\_\_\_\_  
Jack Yates, City Administrator

Posted September 22, 2017 at 3:00 p.m. This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodation



**MINUTES OF REGULAR MEETING  
AUGUST 28<sup>th</sup>, 2017  
MONTGOMERY PLANNING AND ZONING COMMISSION**

**CALL TO ORDER**

Chairman Nelson Cox declared a quorum was present and called the regular scheduled meeting to order at 6:00 p.m.

Present : William Simpson, Nelson Cox, Jeffrey Waddell, Arnette Easley and Carol Langley.

Also present: Jack Yates, City Administrator

**VISITOR/CITIZENS FORUM**

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. Commission may not discuss or take any action on any item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

No one was present to address the Commission.

1. Consideration/take action regarding July 24, 2017 minutes

Motion by Carol\_Langley to approve the minutes as read. Jeffrey Waddell seconded the motion, the motion carried unanimously (5-0)

2. Consideration/take action regarding Calling a Public Hearing on Rezoning a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas otherwise described as approximately 150 feet south of Flagship Boulevard – Andrew Bay

Jack Yates reported that the letter from the property owner was provided to the Commission members wherein the request was made for "B" -Commercial zoning for the tract that is presently zoned Institutional. Jack also reported that he had looked back on two zoning maps and that both maps showed the property as Institutional.

Motion by Jeffrey Waddell to set the public hearing of this rezoning for 6:00 p.m., September 25, 2017. William Simpson seconded , the motion carried unanimously (5-0)

3. Consideration/take action regarding removal of a tree at 603 College Street – Larry and Mary Wagner

Mr. and Mrs. Wagner were present and said that the tree limbs were in the way of power lines. They also said that a professional tree contractor would take down, remove and grind the stump.

Motion by Arnette Easley to allow removal of the designated tree at 603 College Street with a replacement tree to be planted on the same property. Jeffrey Waddell seconded the motion, the motion carried unanimously (5-0)

4. Consideration/take action regarding Exterior Improvements and Sign – 21012 Eva Street – Carolyn Lee

Mrs. Lee was not present. The Commission reviewed the information provided by Mrs. Lee. The question of “move tree” and the size of the wall sign was discussed by Commission members.

William Simpson made a motion to approve the painting and repair work and to approve the sign permit for the free-standing sign and if the wall sign is compliant with the sign ordinance it is also approved. Jeffrey Waddell seconded the motion, the motion carried unanimously (5-0)

5. Consideration/take action regarding calling a Public Hearing concerning Land Use Plan adoption.

Jack Yates said that the final version of the Land Use Plan was in the Commission packet for their review, and if they were agreeable to the Plan that since it is part of the zoning ordinance that it needed a public hearing.

Motion by Carol Langley to call a public hearing for September 25, 2017 at 6:00 p.m. for the purpose of discussing the Land Use Plan. Arnette Easley seconded the motion, the motion carried unanimously (5-0)

6. Consideration/take action regarding calling a Public Hearing concerning Corridor Enhancement District

Jack Yates said this is to set a public hearing date regarding an amendment to the City Zoning Code setting 750 feet as the distance of the corridor Enhancement District on State Highway 105 and to add FM 1097 from the northeast boundary of the city to FM 149 as an addition to the Corridor Enhancement District. There was brief discussion regarding both changes.

Motion by Carol Langley to set a public hearing of this amendment to the city code for 6:00 p.m., September 25, 2017. Arnette Easley seconded the motion, the motion carried unanimously (5-0)

7 Construction Plan approval for Emma Way Construction

Jack Yates reported that the city engineer is preparing a larger size map to use in their consideration. He further said that he expected the maps to be ready in about two weeks. No action taken

8.Adjournment

Carol Langley made the motion to adjourn at 6:51 p.m. William Simpson seconded the motion, the motion carried unanimously (5-0).

Submitted by : Jack Yates  
Jack Yates, City Administrator

Date approved: \_\_\_\_\_

\_\_\_\_\_  
Chairman Nelson Cox

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the public hearing regarding the re-zoning of this tract of land.

**Description**

This is the opportunity for the public to comment. The Commission members should have little or nothing to say now.  
There has not been any public comment received by the Staff.

**Recommendation**

Consider any comments.

**Approved By**

City Administrator	Jack Yates	Date: September 22, 2017
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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
	<b>Exhibits:</b> Letter requesting rezoning, Survey of property, Zoning map of area
<b>Prepared By: Jack Yates City Administrator</b>	
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the Commission's consideration of recommendation to the City Council regarding the re-zoning of this tract of land.

**Description**

This tract of land is immediately south of the pond by Heritage Pl., Apartments on FM 149.

There has not been any public comment received by the Staff.

**Recommendation**

Motion to recommend this tract of land be rezoned from "Institution" to "B-1 Commercial"

**Approved By**

City Administrator	Jack Yates	Date: September 22, 2017
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August 11, 2017

City of Montgomery Texas  
Planning and Zoning Department  
Jack Yates City Administrator  
P.O. Box 708  
Montgomery, TX 77356

CITY OF MONTGOMERY  
936-597-6434

REC#: 00021272 8/11/2017 4:55 PM  
OPER: AS TERM: 001  
REF#: 1717

TRAN: 10.0000 BUILDING PERMITS  
ZONING APP FEE  
ZONING APP FEE  
BUILDING PERMITS 500.00CR

TENDERED: 500.00 CHECK  
APPLIED: 500.00-

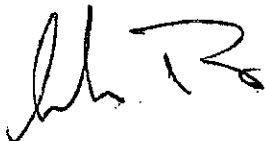
CHANGE: 0.00

Dear Sir,

I am the owner of an approximately 10,000 sq. ft. lot on FM 149, South of Flagship Drive as shown on the attached exhibit. I wish to have it re-zoned to commercial. I have been told it is institutional and at other times multi-family.

Please start the process immediately. I would like to point out that the property was previously used for commercial buildings. I never requested it to be changed to institutional or residential, and think that it was done during re-zoning for the apartments. I would request the City waive or refund my \$500.00 fee. In the meantime I have attached my check waiting for your decision.

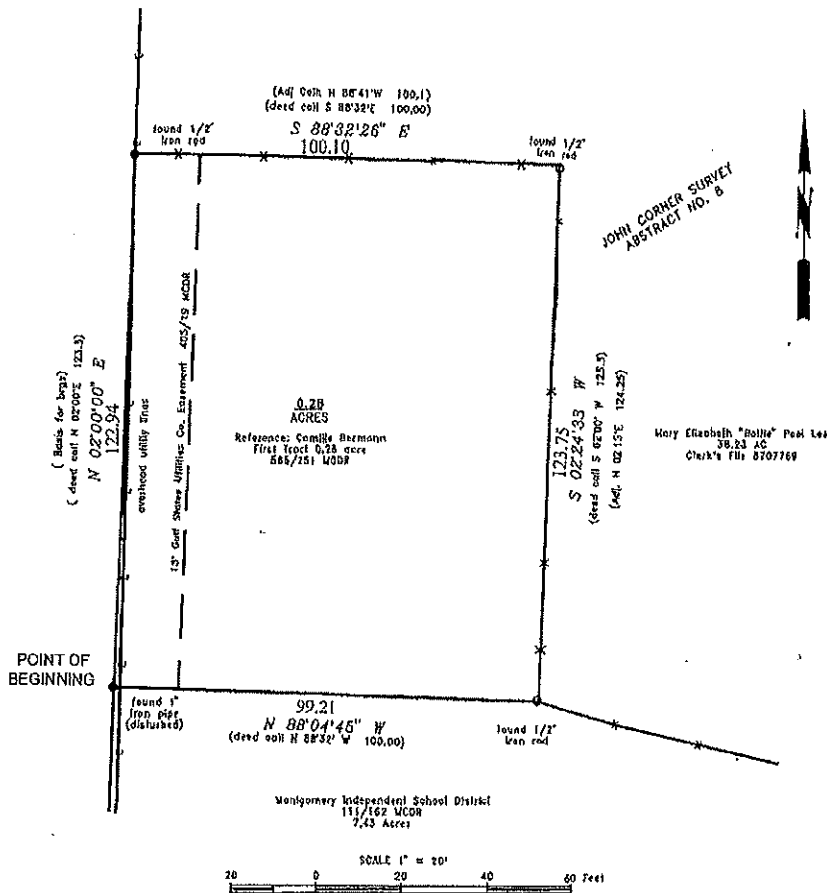
Thank you for your assistance,



Andrew Bay



# F.M. 149



## BOUNDARY SURVEY FOR: MARGARETH H. MATTINGLY HIGHWAY 149 MONTGOMERY, TEXAS 77358

BEING a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, and being that same called 0.28 acre First Tract described in deed to Camille Berhmann recorded in Volume 888, Page 251 of the Deed Records of Montgomery County, Texas, said 0.28 acre tract of land being more particularly described by attached metes and bounds.

Record data as shown hereon was relied upon in part and taken from a Commitment for Title Insurance issued by the following qualified provider:  
First Surety Title Company  
O.P. No. 3530521  
Effective date July 5, 1996

Tract shown hereon is located in ZONE C, areas of potential flooding according to Federal Emergency Management Agency Flood Insurance Rate Map Community Panel No. 481483 0001A Rev 11/17/82

I hereby certify that this survey was made on the ground under my supervision and that this drawing correctly represents the facts found at the time of survey.

Date of Survey: 29 JULY 1996



*Michael G. Warren*  
Michael G. Warren  
Registered Professional Land Surveyor No. 4955



2028 tract of land

STEWART

RANKIN

WORSHAM

WADE

Montgomery City Council  
AGENDA REPORT

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits: Sign permit, Drawing of proposed sign</b>
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the consideration of a new sign to be placed at 304 Caroline Street in the Historic District

**Description**

This is a new business that is being opened at 304 Caroline St. The sign appears to be appropriate for the District

**Recommendation**

Motion to approve.. the sign permit.

**Approved By**

City Administrator	Jack Yates	Date: September 22, 2017
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# Sign Permit Application

Public Works and Community Development Department

City of Montgomery, Texas  
 101 Old Plantersville Road  
 Montgomery, Texas 77356  
[www.montgomerytexas.gov](http://www.montgomerytexas.gov)

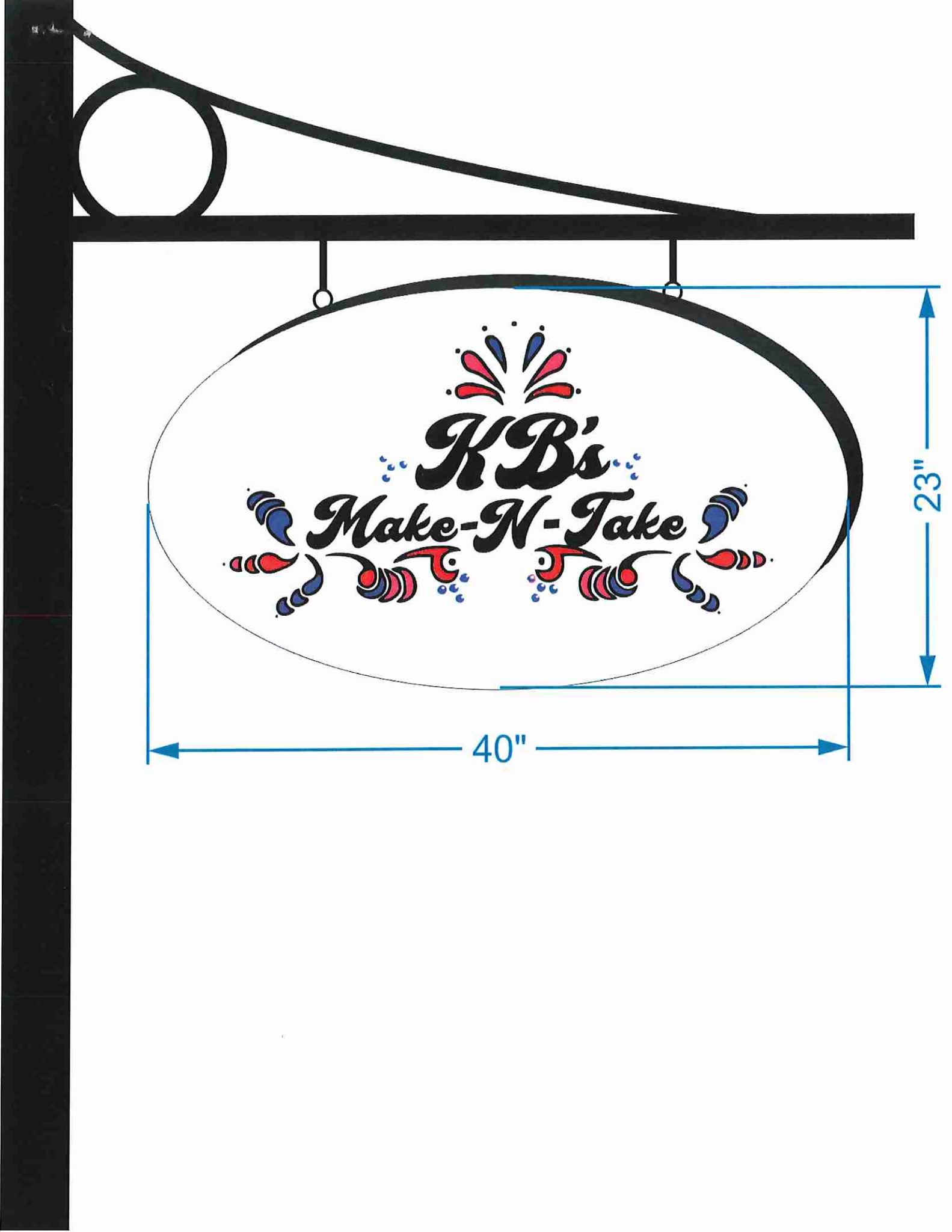
\* SIGN PERMIT APPLICATION EXPIRES IN 6 MONTHS (180 DAYS) NON-TRANSFERABLE\*

TEMPORARY SIGN?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PERMANENT SIGN?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
Pre-Existing OR New Sign?	Pre-Existing <input type="checkbox"/>	New <input checked="" type="checkbox"/>

**Permit #:**

**Date:**

JOB ADDRESS: 304 Caroline St.		BUSINESS NAME: KB'S Make-N-Take	
BUSINESS OWNER: Kristen Billingsley		MAILING ADDRESS: 77356 304 Caroline St	TELEPHONE: 936-582-1818
APPLICANT: * Tasha Wallace		MAILING ADDRESS: 10734 Estelle Cir 77356	TELEPHONE: 936-520-2108
CONTRACTOR LICENSE # (if electrical):			
IS THE SIGN IN THE HISTORIC PRESERVATION DISTRICT?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
		IS THE SIGN ILLUMINATED?	
		YES <input type="checkbox"/>	
		NO <input checked="" type="checkbox"/>	
SIGN PLACEMENT: On Pre existing post used by prev. owner		VALUATION:	
SIGN DESIGN & COLOR SCHEME: White Oval with light color			
SIGN TYPE		SIGN DIMENSIONS	
FREESTANDING MONUMENT SIGN		SIGN HEIGHT	
BUILDING WALL SIGN		SIGN WIDTH	
BANNER		TOTAL SQ FT	5.25
OTHER On pre existing pole		SET BACK	
		BUILDING/LOT LINEAR FOOTAGE	
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of a permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction or the performance of construction.			
NAME of Property Owner or Agent: T. Wallace		SIGNATURE of Property Owner or Agent:	
OFFICE USE ONLY			
APPROVED BY:		TOTAL FEE:	\$
COMMENTS:			



40"

23"

*KB's*  
*Make-N-Take*

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
	<b>Exhibits:</b> Removal permit application, Pictures of building
<b>Prepared By: Jack Yates City Administrator</b>	
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the consideration of a permit application to remove a building from the Historic District

**Description**

This is a request to move an existing building at 21000 Eva Street. This is the tan building next to Ruthie Grace building across the street from Brookshire Brothers fuel station. The building is being in anticipation of a doughnut shop to be placed on the site.

Ms. Spottswood, the applicant, has bought the building and desires to move the to another location outside the city. She said her intention was to remove the building from the property and to smooth out the land and following the removal.

The Historic Preservation Ordinance requires Planning Commission consideration and City Council approval before the removal or demolition of any building inside the Historic District.

Montgomery City Council  
**AGENDA REPORT**

**Recommendation**

Motion to recommend approval of the removal permit.

**Approved By**

City Administrator

Jack Yates

Date: September 22,  
2017

# CITY OF MONTGOMERY

P.O. BOX 708  
 MONTGOMERY, TX 77356  
 PHONE: 936-597-6434 |  
 Permits@ci.montgomery.tx.us  
 www.montgomerytexas.gov

<b>CONSTRUCTION/DEMO PERMIT APPLICATION</b> For the erection of buildings, accessories, repairs, demolition, moving, etc.  Expires in 6 months (180 days) Non-Transferable
DATE OF APPROVAL: _____
PERMIT NUMBER: _____

Owner: Sonya Spottswood | Owner Phone #: (332) 692-1463

Contractor: \_\_\_\_\_ | Cont. Phone #: ( ) \_\_\_\_\_

Contractor Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ | State: \_\_\_\_\_ | Zip: \_\_\_\_\_

Job Site Address: 21000 Eva Street

Residential or Commercial Project: \_\_\_\_\_ | Zoned: \_\_\_\_\_

LOT #: \_\_\_\_\_ | BLOCK #: \_\_\_\_\_ | LOT SIZE: \_\_\_\_\_ | BLDG. SIZE (SQ. FT.): \_\_\_\_\_

**Description of work (Including Class & Construction Types):**

Remove ~~the~~ building from property and smooth out land.

VALUE OF TOTAL WORK: \$ 7,500.00

\$0 - \$1000	\$60 FLAT FEE
\$1,001-\$50,000	\$15.00 FOR FIRST \$1,000 + \$5.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
\$50,001 - \$100,000	\$260.00 FOR FIRST \$50,000 + \$4.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF <u>15.00</u>
\$100,001 - \$500,000	\$460.00 FOR FIRST \$100,000 + \$3.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF <u>35.00</u>
OVER \$500,001	\$1,660.00 FOR FIRST \$500,000 + \$2.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
PLAN REVIEW FEE	EQUAL TO ONE-HALF OF THE PERMIT FEE WHEN VALUATION EXCEEDS \$70,000.00

**NOTICE: SEPARATE PERMITS ARE REQUIRED FOR PUBLIC UTILITIES, ELECTRICAL, PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, GRADING, ALARMS, ROOFING, LANDSCAPING, FIRE SPRINKLERS AND LAWN SPRINKLERS.**

I hereby certify that I have read and examined this application and know the same to be true & correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law office regulating construction of the performance of construction.

Name of Applicant: SONJA SPOTT(SWOOD) | Applicant Signature: Sonya Spottswood

Inspection  
 Plan-Review Fee: \$ 75.00  
 Permit Fee: \$ 50.00  
**PERMIT FEE TOTAL: \$ 125.00**

OFFICE USE ONLY  
 Accepted By: \_\_\_\_\_  
 Issued By: \_\_\_\_\_



Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits: City Engineer memo w/ plat</b>
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the consideration of approval of the Final Plat for Lake Creek Village Section Three

**Description**

This is consideration of the Lake Creek Village Section Three Final Plat.

Review comments have been addressed, there are still minor outstanding issues to be addressed.

The recommendation is that the commission grant provisional approval of the Plat, with continued engineer coordination with the developer to ensure all review comments are addressed prior to formal approval of the Final Plat before the City Council.

**Recommendation**

Motion to grant provisional approval of the Final Plat of lick Creek Village, Section Three

Montgomery City Council  
**AGENDA REPORT**

<b>Approved By</b>		
City Administrator	Jack Yates	Date: September 22, 2017



1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

September 21, 2017

The Planning and Zoning Commission  
City of Montgomery  
101 Old Plantersville Rd.  
Montgomery, Texas 77356

Re: Submission of Final Plat  
Estates at Lake Creek Village (Lake Creek Village, Section Three)  
City of Montgomery

Commission Members

We reviewed the Final Plat submission for the referenced development on behalf of the City of Montgomery. Our review was based on The City of Montgomery's 2004 Code of Ordinances, Chapter 78, Section 62 and any other applicable chapters. While most review comments have been addressed, there are still minor outstanding items to be addressed. Enclosed is a copy of our review letter and redlined plat. We offer the recommendation that should the Commission grant provisional approval of the referenced plat, we will continue to coordinate with the developer to ensure all review comments are addressed prior to formal approval of the final plat.

If you have any questions or comments, please contact, Chris Roznovsky and or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Shackelford', with a long horizontal flourish extending to the right.

Ed Shackelford, P.E.  
Engineer for the City

EHS/cvr

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2017\MEMO to PZ RE Lake Creek Village Section 3 Plat Approval.doc

Enclosures: Estates of Lake Creek Village – Final Plat (redlined)  
Estates of Lake Creek Village Final Plat Review Letter  
cc/enc: The Honorable Mayor and City Council, City of Montgomery  
Mr. Jack Yates – City of Montgomery, City Administrator  
Ms. Susan Hensley – City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler & Creighton, City Attorney



1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

September 21, 2017

Mr. Michael Glezman, R.P.L.S  
Glezman Surveying, Inc.  
P.O. Box 708  
Montgomery, Texas 77356

Re: Plat Review (Final)  
Estates of Lake Creek Village (Formerly Lake Creek Village, Section Three per Construction Plans  
and Preliminary Plat)  
City of Montgomery

Mr. Glezman

We reviewed the referenced final plat submission on behalf of the City of Montgomery (the "City"). Our review was based on The City's 2004 Code of Ordinances, Chapter 78, Section 62 and any other applicable chapters. The results of our review are summarized in the attached document.

Please revise the final plat as required on the attached document and resubmit a revised final plat for approval and recordation.

Additionally, prior to recordation of the plat you must submit a fiscal guarantee for 100% of the construction cost of the outstanding items. You must accompany with the guarantee with a cost estimate prepared by your engineer for backup to the outstanding items. Please submit the cost estimate for review and approval prior to supplying the guarantee.

If you have any questions or comments, please contact, Chris Roznovsky and or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Shackelford', written over a large, stylized blue scribble.

Ed Shackelford, P.E.  
Engineer for the City

EHS/cvr: lr2

K:\W5841\W5841-1016-00 Lake Creek Villiage Section Three\Project Management\Letters\FINAL PLAT Estates of Lake Creek Village.doc

Enclosures cc: The Honorable Mayor and Council – City of Montgomery  
Mr. Jack Yates – City of Montgomery, City Administrator  
Ms. Susan Hensley– City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney



**Estates of Lake Creek Village  
(Formerly Lake Creek Village, Section Three)  
The City of Montgomery**

Reviewed by Chris Roznovsky and Ed Shackelford of Jones & Carter Inc. on 9/21/2017.

**Sheet 1 of 2**

1. Per Sec. 78-162, Reserves "A" and "B" are restricted to commercial use. As such setback which abut existing residential in Section Two and proposed residential in Estates of Lake Creek Village must have a 25-foot wide vegetative barrier. The barrier cannot overlap any utility or drainage easements.
2. Per Sec. 78-94, the building line of the street side of corner lots shall not be less than 15-feet from the side street property line. This must be corrected on lots 11 and 12.

STATE OF TEXAS

COUNTY OF MONTGOMERY

I, Phillip LeFevre, President of Letco Investments, Inc., a Texas Corporation, hereby certify that the undersigned authority, on this day personally appeared Holly LeFevre, Secretary known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein set out, and as the act and deed of said corporation.

Owner hereby certifies that Owner has or will comply with all applicable regulations of the City of Montgomery, Texas, and that a rough proportionally exists between the dedications, improvements, and easements required under such regulations and the projected impact of the subdivision.

Where streets or alleys are dedicated for private use, such dedication shall include an easement covering the street area which permits the installation, operation, and maintenance of water, sewer, gas, electric, telephone, cable television or other public utility facilities within the street. The assessment shall also include a right of access to public agencies engaged in both routine and emergency public services including law enforcement, fire protection, medical response, inspection and code enforcement.

There is hereby dedicated a 5' aerial easement adjacent to all utility assessment designated "U.E." and "A.E." shown hereon from a plane 20 feet above the ground.

IN TESTIMONY WHEREOF, Phillip LeFevre, authorized agent of Letco Investments, Inc. hereunto authorized and his common seal hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BY: Phillip LeFevre, President

BY: Holly LeFevre, Secretary

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Phillip LeFevre, President known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public of Montgomery County, Texas

Printed name \_\_\_\_\_

My commission expires \_\_\_\_\_

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Holly LeFevre, Secretary known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public of Montgomery County, Texas

Printed name \_\_\_\_\_

My commission expires \_\_\_\_\_

STATE OF TEXAS

COUNTY OF MONTGOMERY

We, American Bank, N.A., owner(s) and holder of lien against the property described by instrument of record in Clark's File Number 20170523247 of the Real Property Records of Montgomery County, Texas do hereby in all things subordinate to said plat and said lien, and we hereby confirm that we are the present owner of said lien and have not assigned the same nor any part thereof.

By: Michael L. Schmidt, Senior Vice President

STATE OF TEXAS

COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Michael L. Schmidt, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public of Montgomery County, Texas

Printed name \_\_\_\_\_

My commission expires \_\_\_\_\_

SURVEYOR'S CERTIFICATION

I, Michael Glasman, do hereby certify that I prepared this plat from an actual accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulation of the City of Montgomery, Texas.

BY: Michael Glasman

Registered Professional Land Surveyor

Texas Registration No. 4527

CITY OF MONTGOMERY

I, Ed Shackelford, Engineer for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which this approval is required.

BY: Ed Shackelford, P.E.  
City Engineer - City of Montgomery

This plat and subdivision has been submitted to and considered by the City Planning and Zoning Commission and the City Council of the City of Montgomery, Texas and is hereby approved by such Commission and Council.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017

By: Susan Hensley, City Secretary  
By: Nelson Cox, Chairman  
Planning and Zoning Commission

ATTEST:

By: Susan Hensley  
City Secretary

COUNTY CLERK

I, Mark Turnbull, Clerk of the County Court of Montgomery County, Texas, do hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City as to which this approval is required.

WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County Texas the day and date last above written.

BY: Mark Turnbull, Clerk, County Court,  
Montgomery County, Texas

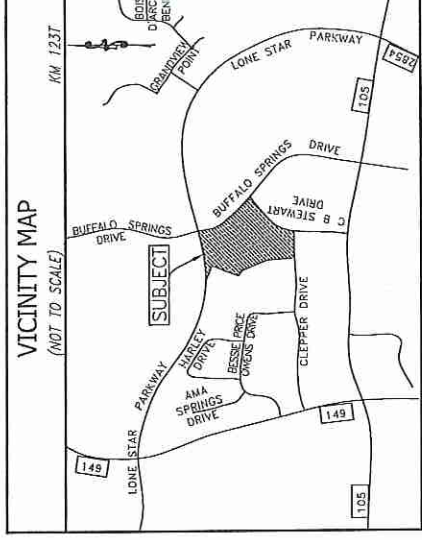
By: \_\_\_\_\_  
Deputy

ENGINEER:  
GOODWIN-LASITER-STRONG  
4077 CROSS PARK, SUITE 100  
BRYAN, TEXAS 77802

OWNER/DEVELOPER:  
LECO INVESTMENTS, INC.  
780 CLEPPER STREET, SUITE 100  
MONTGOMERY, TEXAS 77356

SEPTEMBER 2017

SHEET 1 OF 2



CURVE TABLE with columns: CURVE, RADIUS, ARC, TANGENT, DELTA, CHORD BEARING, CHORD DISTANCE.

LINE TABLE with columns: LINE, BEARING, DISTANCE.

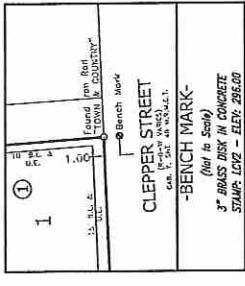
RESTRICTED RESERVES table with columns: RESERVE, DESCRIPTION, ACREAGE.

AREA TABLE with columns: LOT, SQ. FT., ACREAGE.

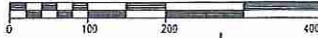
REVIEWED BY ED SHACKELFORD AND CHRIS ROZNOVSKY ON 09/21/2017.

FINAL PLAT ESTATES OF LAKE CREEK VILLAGE

A RESIDENTIAL SUBDIVISION OF 30.6076 ACRES IN THE JOHN CORNER SURVEY, A-8 MONTGOMERY COUNTY, TEXAS 22 LOTS, 1 BLOCK, 3 RESERVES



Scale 1" = 100'



NOTES:

1. Scale: 1"=100'
2. All corners are set 3/4" iron rods with survey cap marked "Gleason 4527" unless otherwise noted.
3. This property lies within Zone "X", area determined to be outside the 100-Year Floodplain as shown on FEMA Flood Insurance Rate Map, Community Number 481483, Map Number 48339C0200C, with an effective date August 18, 2014.
4. All street right-of-ways are sixty (60') feet in width unless otherwise noted.
5. All street widths shall be a minimum of twenty-eight (28') feet wide.
6. All side lot lines have a 10 foot building line unless otherwise noted.
7. All rear lot lines have a 15 foot building line unless otherwise noted.
8. If two or more lots, or fractions thereof are consolidated into a single family residential lot, all interior utility and drainage easement lines shall be applied to such resultant lot lines as if it were an original lot.
9. Property subject to restrictions as recorded under Clark's File Number 2004-013561 Real Property Records of Montgomery County, Texas.
10. Property subject to a Gulf States Utilities Company right-of-way easement as recorded under Clark's File No. 9537970 of the Real Property Records of Montgomery County, Texas. (Blanket Easement)
11. Property is subject to the Terms, conditions, stipulations and restrictions as set out in instrument creating a restricted water quality zone, dated November 20, 1970, executed by Texas Water Quality Board and San Jacinto River Authority, recorded in Volume 741, Page 445 of the Deed Records of Montgomery County, Texas; said instrument having been amended by Order of the Texas Water Quality Board, bearing Order No. 78-1216-4, dated December 16, 1978; and being further amended by Order of the San Jacinto River Authority and the Texas Water Commission issued on February 12, 1988, as contained in 13 Tex Reg. 1004.
12. Elevations derived from GPS using LEICA SMARTNET RTK, HAYD88, GEOID 2012A, and tied to "MONT 3" and "MONT 5," CITY OF MONTGOMERY MONUMENTS.
13. Standard Abbreviations:  
 B.L. Building Line  
 D.E. Drainage Easement  
 W.L.E. Water Line Easement  
 U.E. Utility Easement  
 A.E. Aerial Easement  
 R.O.W. Right-of-Way  
 C.F. NO. Clark's File Number  
 DRMCT Deed Records of Montgomery County, Texas  
 MRMCT Map Records of Montgomery County, Texas  
 RPRMCT Real Property Records of Montgomery County, Texas  
 OPRMCT Official Public Records of Real Property of Montgomery County, Texas

HAIJ INVESTMENTS, LTD  
 Called 84.08 Acres  
 C.F. No. 2014102264 RPRMCT

MARA MOJA HOLDINGS, LTD  
 Residual of Called 84.30 Acres  
 C.F. No. 2004-110208 RPRMCT

# FINAL PLAT ESTATES OF LAKE CREEK VILLAGE

A RESIDENTIAL SUBDIVISION OF 30.6076 ACRES  
 IN THE JOHN CORNER SURVEY, A-8  
 MONTGOMERY COUNTY, TEXAS  
 22 LOTS, 1 BLOCK, 3 RESERVES

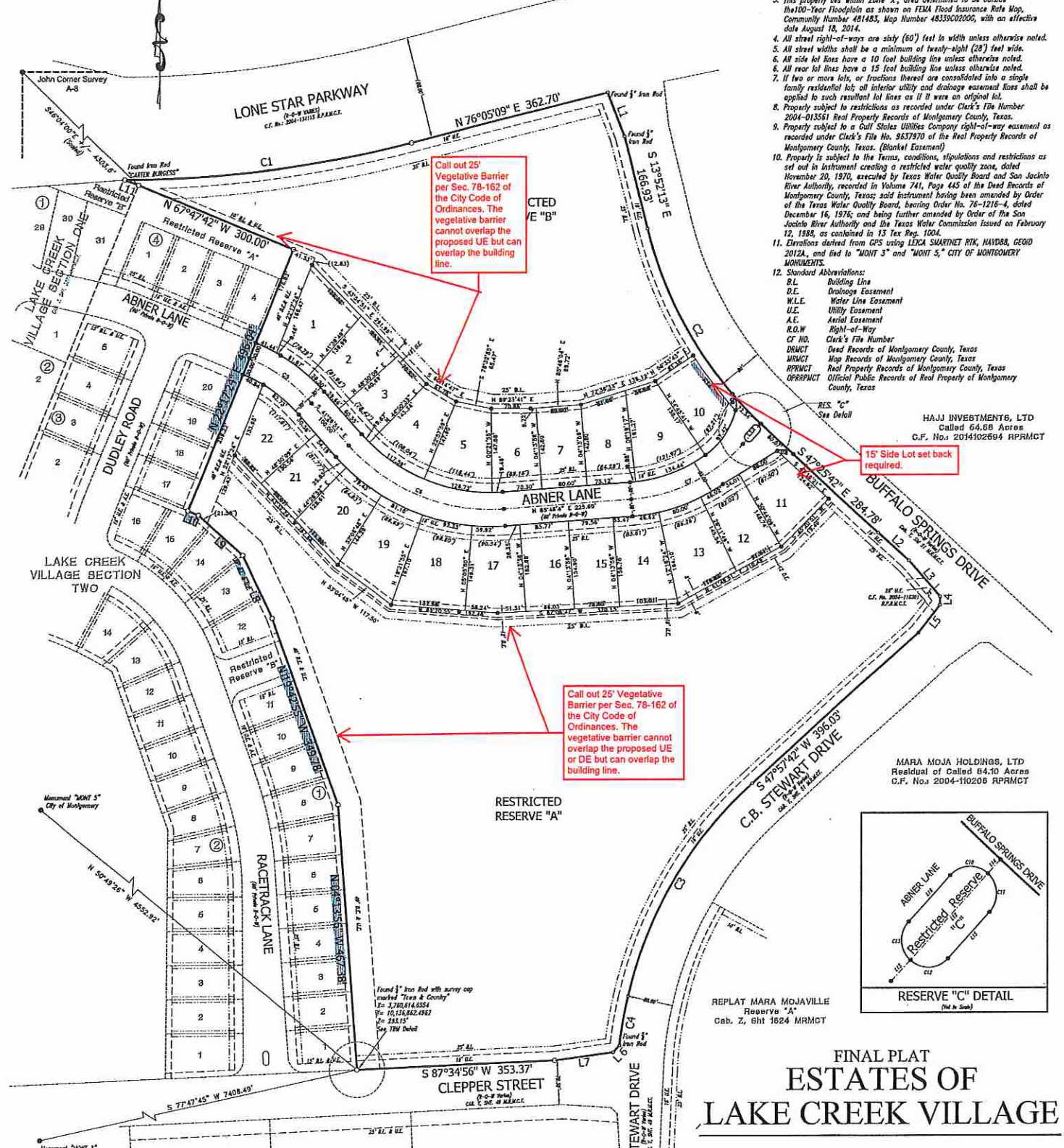
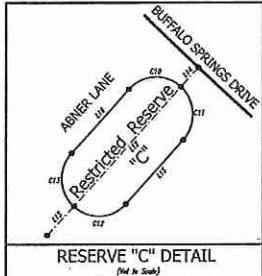
SEPTEMBER 2017

SHEET 1 OF 2

Call out 25' Vegetative Barrier per Sec. 78-162 of the City Code of Ordinances. The vegetative barrier cannot overlap the proposed UE but can overlap the building line.

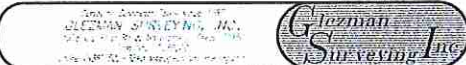
Call out 25' Vegetative Barrier per Sec. 78-162 of the City Code of Ordinances. The vegetative barrier cannot overlap the proposed UE or DE but can overlap the building line.

15' Side Lot set back required.



ENGINEER:  
 GOODWIN-LASITER-STRONG  
 4077 CROSS PARK, SUITE 100  
 BRYAN, TEXAS 77802

OWNER/DEVELOPER:  
 LEFCO INVESTMENTS, INC.  
 780 CLEPPER STREET, SUITE 100  
 MONTGOMERY, TEXAS 77356



Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
	<b>Exhibits: City Engineer memo w/ plat</b>
<b>Prepared By: Jack Yates City Administrator</b>	
<b>Date Prepared: September 22, 2017</b>	

**Subject**

This is the consideration of approval of the Preliminary Plat for The Shoppes at Montgomery development.

**Description**

This is consideration of The Shoppes at Montgomery Preliminary Plat.

Review comments have been addressed, with redline comments.

The City Engineer's comment is to recommend a conditional approval with coordination to ensure that all further review comments are addressed, including submission of a tree preservation plan, prior to submission of the final plat before the Commission and the City Council.

A 380 development agreement is being negotiated with owners of The Shoppes at Montgomery and the City Council.

**Recommendation**

Motion to grant provisional approval of the Preliminary Plat of The Shoppes at Montgomery.



Montgomery City Council  
**AGENDA REPORT**

<b>Approved By</b>		
City Administrator	Jack Yates	Date: September 22, 2017



1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380-3795  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

September 21, 2017

Planning and Zoning Commission  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316

Re: Submission of Preliminary Plat  
The Shoppes at Montgomery  
City of Montgomery

Commission Members:

We have reviewed the referenced preliminary plat as prepared by Mr. Jay Dean Canine, R.P.L.S. and find it to be in keeping with the submission criteria set forth in the City of Montgomery's Code of Ordinances. We have returned a plat review letter along with redlined comments to Mr. Canine and copies of each are enclosed for your review. We offer the recommendation that should the Commission conditionally approve the preliminary plat as submitted, and we will coordinate with Mr. Canine to ensure that all further review comments are addressed, including submission of a tree preservation plan, prior to submission of a final plat.

As always, should you have any questions or need any additional information, please do not hesitate to contact Chris Roznovsky or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Shackelford', written over a white background.

Ed Shackelford, PE  
Engineer for the City

EHS/cvr:kmf

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2017\MEMO to PZ RE Montgomery Shoppes Preliminary Plat.doc

Enc: The Shoppes at Montgomery – Preliminary Plat Submission Review Letter  
The Shoppes at Montgomery – Preliminary Plat Submission Review Comments  
cc: The Honorable Mayor and City Council, City of Montgomery  
Mr. Jack Yates – City of Montgomery, City Administrator  
Ms. Susan Hensley – City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney  
Mr. Jay Dean Canine, R.P.L.S. – Town & Country Surveyors



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The Woodlands, Texas 77380  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

September 21, 2017

Mr. Jay Dean Canine, R.P.L.S  
Town and Country Surveyors  
P.O. Box 7082219 Sawdust Road, Suite 2003  
The Woodlands, Texas 77380

Re: Plat Review (Preliminary)  
The Shoppes at Montgomery  
City of Montgomery

Mr. Canine

We reviewed the referenced preliminary plat submission on behalf of the City of Montgomery (the "City"). Our review was based on The City's Code of Ordinances, Chapter 78, Section 60; Chapter 78, Section 174; and any other applicable chapters. The results of our review are summarized in the attached document.

Please resubmit the attached checklist along with a revised preliminary plat, showing the required revisions on a clean copy for review and approval.

If you have any questions or comments, please contact, Chris Roznovsky and or myself.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Shackelford', written over a blue circular stamp.

Ed Shackelford, P.E.  
Engineer for the City

EHS/cvr

K:\W5841\W5841-1016-00 Lake Creek Villiage Section Three\Project Management\Letters\FINAL PLAT Estates of Lake Creek Village.doc

Enclosures cc: The Honorable Mayor and Council – City of Montgomery  
Mr. Jack Yates – City of Montgomery, City Administrator  
Ms. Susan Hensley– City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney



**The Shoppes at Montgomery  
City of Montgomery**

Reviewed by Chris Roznovsky and Ed Shackelford of Jones & Carter Inc. on 9/21/2017.

**General:**

1. Show all property lines, rights-of-way, easements, and land ownership within 100-feet of the boundary on all sheets.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
2. Provide property owner information on all sheets.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
3. Provide a tree preservation plans as required per Sec. 78-174 of the City Code of Ordinances.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
4. Provide title letter or tax certificate as defined in Sec. 78-61(f) of the City's Code of Ordinances.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
5. Please verify submission of required preliminary plat fee.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
6. Identify existing City Limits.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
7. Provide a 150-foot wide drainage easement along Stewart Creek as redlined.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
8. Provide the 100-year floodplain elevation.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
9. Show all required building lines, vegetative barriers, easements, etc. on all sheets.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_



**Sheet 2 of 4:**

1. A 35-foot building setback is required adjacent to major thoroughfares. Show on all applicable sheets.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
2. The proposed boundary of the expanded wastewater treatment plant site needs to be adjusted as previously discussed.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
3. Show proposed sanitary control easement extending 150-feet from expanded wastewater treatment plant boundary.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_

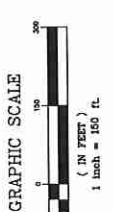
**Sheet 3 of 4:**

1. A 35-foot building setback is required adjacent to major thoroughfares. Show on all applicable sheets.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
2. The adjacent property to the south may be developed as single family residential in the future therefore you must provide a 25' building line and vegetative barrier.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_
3. Label all existing easements.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_

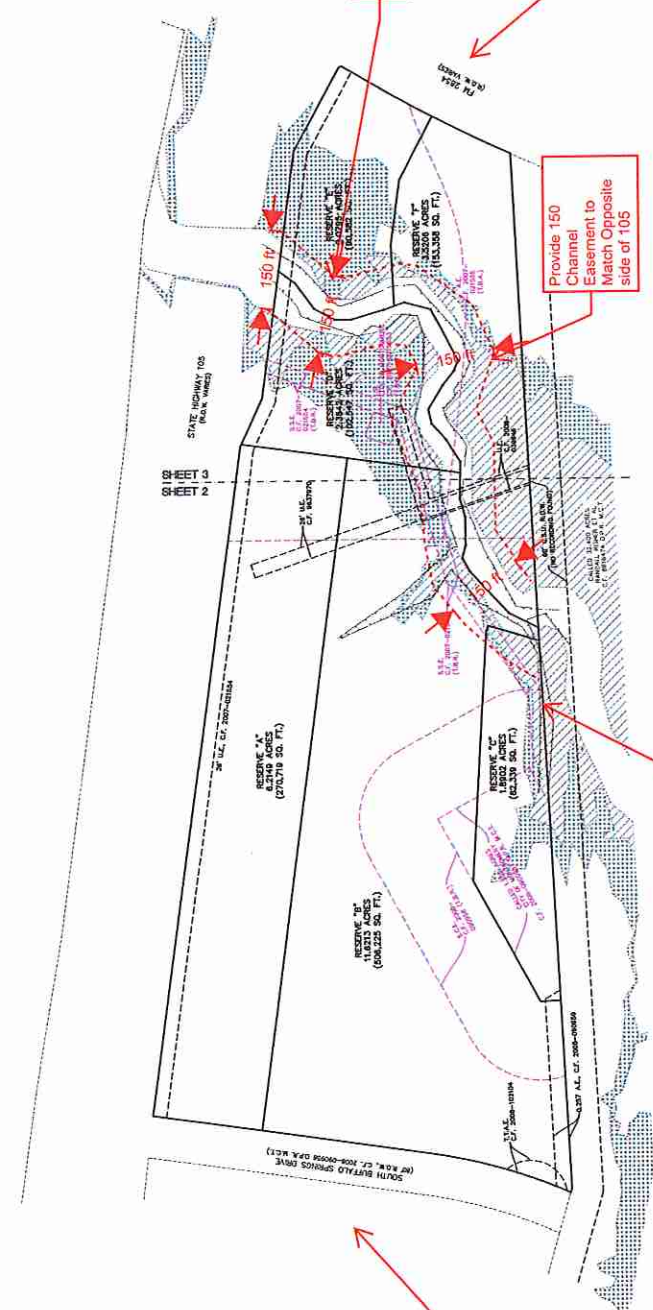
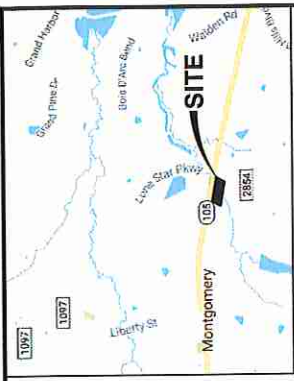
**Sheet 4 of 4:**

1. The dedicatory language does not match the City of Montgomery requirements nor Montgomery County requirements. This must be revised to meet all City and County requirements.  
Addressed: Yes \_\_\_ No \_\_\_ Comments \_\_\_\_\_

- LEGEND / ABBREVIATIONS**
- CF. CLERK'S FILE NUMBER
  - FND. FOUND
  - FO. FOUND
  - O.P.R. M.C.T. OFFICIAL PUBLIC RECORDS
  - M.P.R. MAP RECORDS
  - R.O.W. RIGHT OF WAY
  - B.L. BOUNDARY LINE
  - U.E. UTILITY EASEMENT
  - P.E. PUBLIC UTILITY EASEMENT
  - CM. CONCRETE MONUMENT
  - S.C.U. SURVEY CONTROL EASEMENT
  - T.B.R. TO BE RELEASED
  - PROPERTY MARKER



Comply with tree preservation plan per Sec. 78-174 of the City Code of Ordinances.  
Provide title letter of tax certificate as defined in Sec. 78-61(f).



Provide 100 year floodplain elevation

Show right-of-way.

Provide 150 Channel Easement to Match Opposite side of 105

Identify City Limits

**THE SHOPPES AT MONTGOMERY**  
A SUBDIVISION OF  
27,6806 ACRES (1,205,769 SQ. FT.)  
IN THE  
JOHN CORNER SURVEY, A-8  
MONTGOMERY COUNTY, TEXAS  
**1 BLOCK 6 RESERVES**  
**SEPTEMBER 2017**

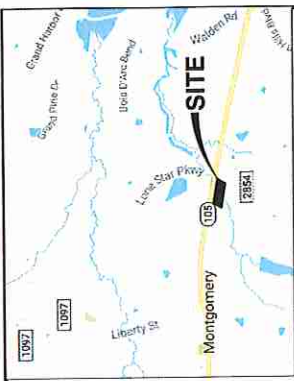
**SURVEYOR:**

TOWN AND COUNTRY  
SURVEYORS  
- A LANDPORT COMPANY  
2519 SANDHURST ROAD, STE. 200  
THE WOODLANDS, TX 77380  
P.O. BOX 100000  
WWW.LANDPORT.NET

**OWNER:**

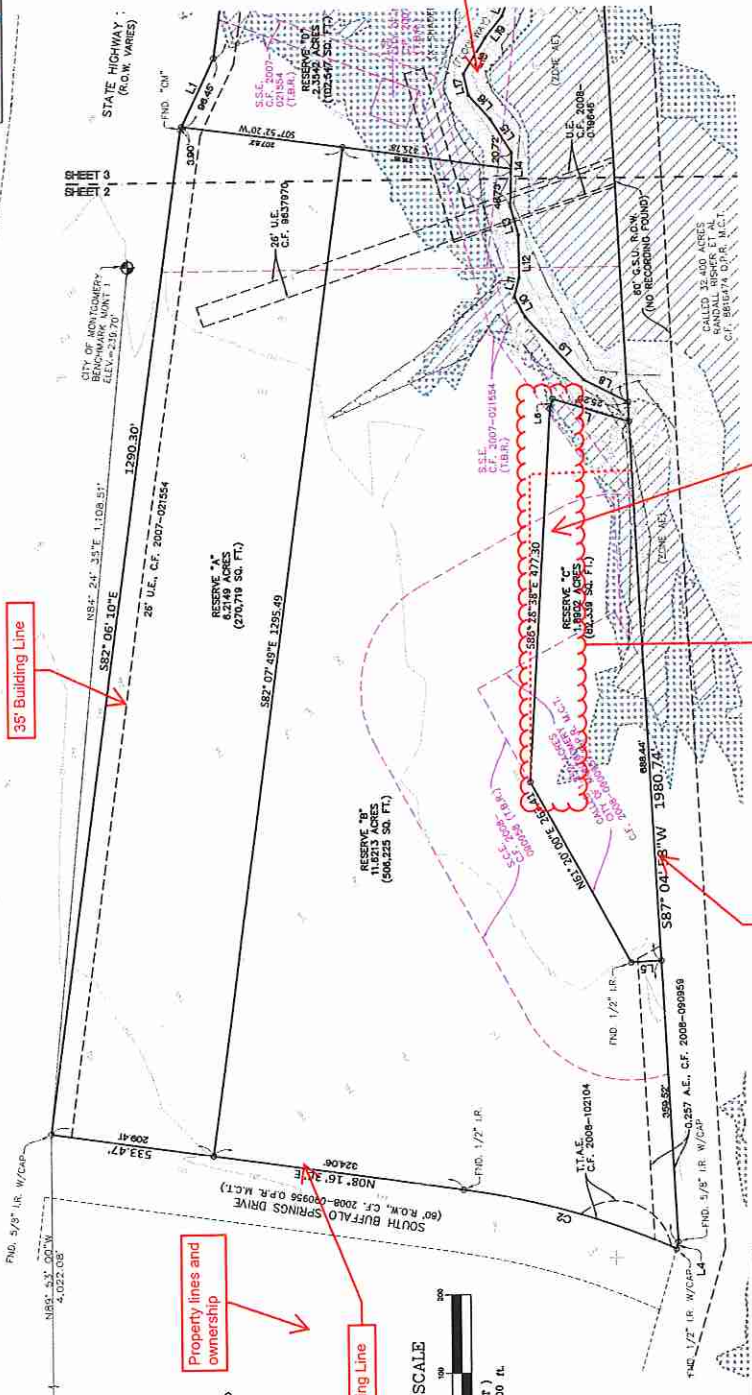

**NOTES:**

- All corners are set 5/8 inch iron rods w/ top stamped "Landport 1019472" unless otherwise shown or noted.
- This property is located in Zone "AC", Zone "X" or "Y" and is within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Area.



VICINITY MAP  
N.T.S.

Building lines, vegetative barrier,  
etc. not shown



35' Building Line

25' Building Line

Property lines and  
ownership



Identity City Limits

Adjust proposed  
Reserve C area  
as discussed.

Show Sanitary  
Control Easement  
Around new  
boundary

- LEGEND / ABBREVIATIONS**
- CF. CLERK'S FILE NUMBER
  - FOUND. FOUNDATION
  - OP.R. M.C.T. OFFICIAL PUBLIC RECORDS
  - MAP RECORDS
  - R.O.W. RIGHT OF WAY
  - DEED RECORDS
  - U.E. UTILITY EASEMENT
  - P.E. PATHWAY EASEMENT
  - C.M. CONCRETE MONUMENT
  - C.S.U. CURB AND SIDEWALK UTILITY
  - T.B.R. TOWN AND COUNTRY SURVEY
  - PROPERTY MARKER

**LINE TABLE**

NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S64°43'55" E	100.35	L17	N77°16'39" E	28.01
L2	S12°48'02" E	4.93	L18	S85°58'11" E	51.23
L3	S29°03'52" W	84.16	L19	S50°41'20" E	35.00
L4	N73°40'16" W	8.95	L20	S70°22'01" E	21.69
L5	N63°00'07" W	38.55	L21	N62°19'32" E	110.16
L6	S74°00'20" E	12.24	L22	N15°21'46" E	51.97
L7	S16°55'55" W	104.93	L23	N19°22'45" W	40.97
L8	N37°42'36" E	63.38	L24	N16°00'33" W	64.89
L9	N47°40'55" E	109.31	L25	N07°34'23" W	32.40
L10	N62°08'22" E	29.05	L26	N27°59'13" E	65.38
L11	S75°10'20" E	24.67	L27	N83°27'32" E	61.49
L12	N89°25'02" E	55.00	L28	N35°25'09" E	39.55
L13	N74°20'00" E	36.71	L29	S87°14'13" W	116.48
L14	S85°19'31" E	69.53	L30	S83°07'46" E	135.00
L15	N57°42'07" E	49.80	L31	S62°15'06" E	137.15
L16	N48°09'15" E	41.65			

**CURVE TABLE**

NO.	LENGTH	RADIUS	DELTA	CHD. BRG.	CHORD
C1	278.85	2,094.79	5°26'38"	S27°05'04" W	278.24
C2	283.23	1,040.00	15°36'13"	N16°04'43" E	282.35

**THE SHOPPES AT MONTGOMERY**

A SUBDIVISION OF  
27.6806 ACRES (1,205,769 SQ. FT.)

IN THE  
JOHN CORNER SURVEY, A-8  
MONTGOMERY COUNTY, TEXAS  
**1 BLOCK 6 RESERVES**  
SEPTEMBER 2017



**SURVEYOR:** TOWN AND COUNTRY SURVEYORS  
"A LANDPOINT COMPANY"  
2519 SANDHURST ROAD, STE. 200  
THE WOODLANDS, TX 77380  
(281) 485-8750  
WWW.LANDPOINT.NET

**OWNER:**

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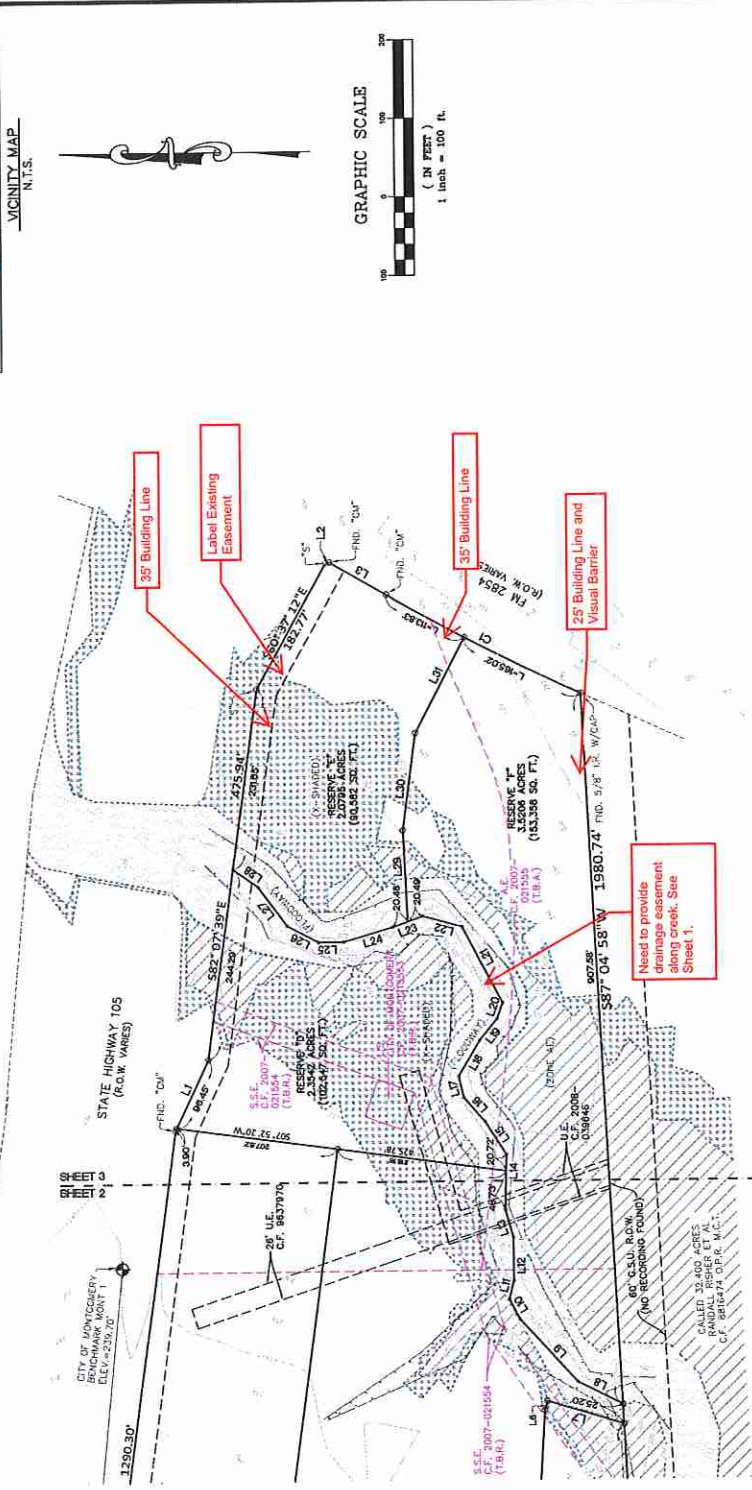
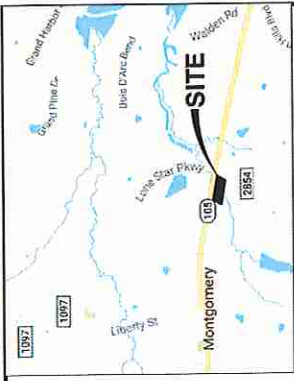
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**LEGEND / ABBREVIATIONS**

CLERK'S FILE NUMBER  
 FOUND ROAD  
 OFFICIAL PUBLIC RECORDS  
 O.P.R. M.C.T.  
 M.A.P. RECORD  
 M.A.P. RECORD COUNTY, TEXAS  
 RIGHT OF WAY  
 R.O.W.  
 D.R.  
 D.R.  
 BUILDING LINE  
 UTILITY EASEMENT  
 UTILITY EASEMENT  
 PUBLIC UTILITY EASEMENT  
 CONCRETE MONUMENT  
 C.M.  
 S.C.U.  
 S.C.U.  
 T.B.R.  
 TO BE RELEASED  
 PROPERTY MARKER



**LINE TABLE**

NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
L1	S 64°35'55" E	100.35	L17	N 77°16'39" E	28.01
L2	S 13°48'00" E	4.93	L18	S 56°56'31" E	53.23
L3	S 29°26'53" W	84.16	L19	S 50°41'00" E	38.09
L4	N 73°46'51" W	8.95	L20	S 70°12'01" E	21.69
L5	N 03°00'47" W	38.95	L21	N 62°19'12" E	110.16
L6	S 74°00'20" E	32.24	L22	N 10°22'46" E	53.97
L7	S 16°55'55" W	101.93	L23	N 19°22'45" W	60.97
L8	N 70°42'30" E	63.26	L24	N 10°00'33" W	68.89
L9	N 47°46'55" E	109.31	L25	N 00°24'23" W	32.40
L10	N 62°08'22" E	25.05	L26	N 27°59'31" E	45.34
L11	S 75°10'20" E	24.07	L27	N 53°23'12" E	61.49
L12	N 89°26'02" E	55.00	L28	N 35°28'05" E	39.55
L13	N 76°20'20" E	36.71	L29	S 87°14'32" W	116.48
L14	S 89°19'31" E	69.53	L30	S 83°09'45" E	125.00
L15	N 57°42'07" E	49.60	L31	S 62°21'48" E	137.15
L16	N 48°49'15" E	41.65			

**CURVE TABLE**

NO.	LENGTH	RADIUS	DELTA	CHD.	BRG.	CHORD
C1	278.85	1,284.79	57°58"	5,279,950" W	278.74	
C2	283.23	1,046.00	15°36'33"	N 16°04'45" E	283.35	

**THE SHOPPES AT MONTGOMERY**  
 A SUBDIVISION OF  
 27.6806 ACRES (1,205,769 SQ. FT.)  
 IN THE  
 JOHN CORNER SURVEY, A-8  
 MONTGOMERY COUNTY, TEXAS

**1 BLOCK 6 RESERVES**  
**SEPTEMBER 2017**

**SURVEYOR:**  
 TOWN AND COUNTRY  
 SURVEYORS  
 - A LANDPORT COMPANY  
 2518 SAWHURST ROAD, STE. 200C  
 THE WOODLANDS, TX 77380  
 (281)468-8700  
 WWW.LANDPORT.NET

**OWNER:**

TPLS REG. NO. 10194172  
 2017 No. 17-1494

**SHEET 3 OF 4**



STATE OF TEXAS  
COUNTY OF MONTGOMERY

Shopper at Montgomery, do hereby make subdivision of the above and foregoing map of the County, Texas, and do hereby make subdivision of said property, building lines, and easements there on shown, and designate said subdivision as John Corner Survey, Abstract B

There is also dedicated for utility an unobstructed aerial easement five (5) feet wide from a plane twenty (20) feet above the ground upward, located adjacent to all easements shown hereon.

FURTHER, all of the property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the land and shall be as follows:

1. That change of easement into road, street, alley, or other public dedicated, either directly or indirectly, is strictly prohibited.

2. Change structures under private driveways shall have a not drainage opening area of sufficient size to permit the free flow of water without backflow, and shall be a minimum of one and three eighths (1 3/8) square feet (16" diameter pipe culvert).

FURTHER, we do hereby certify that we the owners of all property immediately adjacent to the above and foregoing map have been notified of the proposed subdivision, and have acknowledged same that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

IN TESTIMONY WHEREOF, the \_\_\_\_\_ have caused these presents to be signed by \_\_\_\_\_ of \_\_\_\_\_ and \_\_\_\_\_ its common seal hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BY: \_\_\_\_\_  
Notary Public for Harris County, Texas  
Printed name \_\_\_\_\_  
My commission expires \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF HARRIS  
BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ and \_\_\_\_\_ known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public for Harris County, Texas  
Printed name \_\_\_\_\_  
My commission expires \_\_\_\_\_

SURVEYOR'S CERTIFICATION  
This is to certify that I, Jay Dean Guilan, a Licensed Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all block corners, angle points, and points of curve property marked with iron rods are true to the center of the rods, and that this plat correctly represents the survey made under my direction.

By Jay Dean Guilan  
Professional Land Surveyor  
Texas Registration No. 4345

COMMISSIONERS COURT ACKNOWLEDGMENT  
APPROVED by the Commissioners Court of Montgomery County, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Mike Messer  
Commissioner, Precinct 1  
Quetta Gray  
Commissioner, Precinct 2

James Noyes  
Commissioner, Precinct 3  
John Clark  
Commissioner, Precinct 4

Scott Dwyer  
County Judge

COUNTY CLERK  
I, Mark Tumbull, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument was recorded on \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded on \_\_\_\_\_ day of \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., in exhibit \_\_\_\_\_ sheet \_\_\_\_\_ of records of \_\_\_\_\_ for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Canan, Montgomery County, Texas, this day and date last above written.

BY: \_\_\_\_\_  
Montgomery County, Texas  
Deputy

Does not match City of Montgomery requirements

THE SHOPPES AT MONTGOMERY  
A SUBDIVISION OF  
27.6806 ACRES (1,205,769 SQ. FT.)  
IN THE  
JOHN CORNER SURVEY, A--B  
MONTGOMERY COUNTY, TEXAS  
1 BLOCK 6 RESERVES  
SEPTEMBER 2017



TOWN AND COUNTRY SURVEYORS  
- A LANDPORT COMPANY -  
2218 SAWPOST ROAD, STE. 2003  
THE WOODLAND, TX 77380  
OWNERS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
WWW.LANDPORT.NET

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: September 22, 2017</b>	

**Subject**

Consideration of Land Use Plan adoption.

**Description**

This item is before you because of advice from the City Attorney. Mr. Forrester recommends not adopting the Land Use Plan “except as part of a “Comprehensive Plan”. Mr. Forrester told me that according to section 211.004 of the Texas Local Government Code provides that zoning regulation must it be adopted in accordance with a “Comprehensive Plan” and the city of Montgomery has never adopted a “Comprehensive Plan”.

After hearing this I asked Mr. Forrester if the Planning Commission and City Council could simply motion that the land use map ; while not being binding on the city, could be used as an informal plan that could accomplish the purpose of pre-thought without a formal adoption.<sup>17</sup>

Mr. Forrester replied; I agree, Jack. I think the City Council could adopt it as an informal guide.

So, Commission members, that is what I will present to you at your October 23<sup>rd</sup> meeting is an adoption of the Land Use Plan as an informal guide to your planning efforts.

Montgomery City Council  
**AGENDA REPORT**

I can, if desired, have the City Attorney present for and the October 23<sup>rd</sup> meeting.

**Recommendation**

Consider the information, and unless I hear something different, I will place the informal adoption of the Land Use Plan on your October 23<sup>rd</sup> meeting agenda.

**Approved By**

City Administrator

Jack Yates

Date: September 22,  
2017

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: September 25, 2017</b>	<b>Budgeted Amount:</b>
<b>Department:</b>	
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: September 22, 2017</b>	

**Subject**

Consideration of calling a public hearing regarding the Corridor Enhancement District.

**Description**

This item is back on the agenda from last month. Last month you call<sup>ed</sup> a public hearing for September 25 for an ordinance regarding the Corridor Enhancement District. The public hearing requires a notice be sent to property owners and within 300 feet of the proposed change area. The staff was unable to assemble these names and addresses in time for the 25<sup>th</sup>.

I think we will be able to get the names and addresses and notices mailed out timely if you will reset the public hearing for November 27<sup>th</sup>.

**Recommendation**

Motion to set a public hearing concerning the Corridor Enhancement District for October 23<sup>rd</sup>.

**Approved By**

Montgomery City Council  
**AGENDA REPORT**

City Administrator	Jack Yates	Date: September 22, 2017
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